

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 1101 - HB 1120**

March 15, 2015

**SUMMARY OF BILL:** Gives assistant public defenders (APD) service credit for the period of July 1, 2003 to June 30, 2004.

Creates six new APDs to be recommended for designation by the District Public Defenders Conference (DPDC).

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$664,100/FY15-16  
\$792,300/FY16-17 and Subsequent Years**

Assumptions:

- Under Tenn. Code Ann. § 8-14-207(a), APDs are compensated according to a pay scheduled which is based on credible service. However, credible service was not recognized for FY03-04 and FY09-10.
- The bill would reinstate the credible service for FY03-04.
- The bill will apply to 68 APDs and will increase their base salary by a combined \$153,460. Some APDs will hit their maximum salary base and will begin collecting longevity because of the bill. This longevity equals \$9,200. Benefits must be paid on the increased salary base and on the longevity.
- The bill will increase state expenditures by \$212,304  $\{ [\$153,460 + (\$153,460 \times 0.2287) \text{ benefits} + (\$153,460 \times .0765) \text{ FICA}] + [\$9,200 + (\$9,200 \times 0.2287) \text{ benefits} + (\$9,200 \times 0.0765) \text{ FICA}] \}$ .
- The bill also creates six new APD positions.
- According to the DPDC, each APD will be hired at a starting salary of \$56,800, the amount an APD normally makes after six years with the DPDC. The new positions will result in increased expenditures of \$482,766  $\{ [\$56,800 \text{ salary} + (\$56,800 \times 0.2287) \text{ benefits} + (\$56,800 \times .0765) \text{ FICA} + \$6,356.56 \text{ insurance}] \times 6 \}$ .
- According to the DPDC, each APD will require \$16,200 in recurring expenditures for travel, online research, furniture/supplies, training, professional privilege tax, etc. for a total of \$97,200  $(\$16,200 \times 6)$  per year.
- The bill would result in recurring expenditures for APD positions totaling \$579,966  $(\$482,766 + \$97,200)$ .
- According to the DPDC, each APD will require \$2,800 in one-time expenditures for online research, furniture, phone, internet, and data processing equipment. The bill would result in one-time expenditures of \$16,800  $(\$2,800 \times 6)$ .

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- The positions will become effective October 1, 2015. As a result, the State will incur only 3/4 of the recurring costs in FY15-16.
- The total increase in expenditures in FY15-16 will be \$664,079 [(\$16,800 total one-time position expenditures + (\$579,966 total recurring position expenditures x .75) + \$212,304 salary adjustments], and the total increase in expenditures in FY16-17 and subsequent years will be \$792,270 (\$579,966 positions + \$212,304).

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, appearing to read "Jeffrey L. Spalding", written in a cursive style.

Jeffrey L. Spalding, Executive Director

/trm